



General Assembly

Substitute Bill No. 206

February Session, 2002

**AN ACT CONCERNING STRESS RELATED WORKERS'
COMPENSATION BENEFITS FOR POLICE OFFICERS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (16) of section 31-275 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2002*):

4 (16) (A) "Personal injury" or "injury" includes, in addition to
5 accidental injury which may be definitely located as to the time when
6 and the place where the accident occurred, an injury to an employee
7 [which] that is causally connected with [his] the employee's
8 employment and is the direct result of repetitive trauma or repetitive
9 acts incident to such employment, and occupational disease.

10 (B) "Personal injury" or "injury" shall not be construed to include:

11 (i) An injury to an employee [which] that results from [his] the
12 employee's voluntary participation in any activity the major purpose
13 of which is social or recreational, including, but not limited to, athletic
14 events, parties and picnics, whether or not the employer pays some or
15 all of the cost of such activity;

16 (ii) A mental or emotional impairment, unless such impairment
17 arises from a physical injury or occupational disease or, in the case of a
18 police officer, unless such impairment arises from such police officer's

19 use of deadly force or subjection to deadly force in the line of duty,
20 regardless of whether such police officer is physically injured,
21 provided such police officer (I) is the subject of an attempt by another
22 person to cause such police officer serious physical injury or death
23 through the use of deadly force, and (II) reasonably believes he or she
24 is the subject of such an attempt. As used in this clause, "police officer"
25 means a member of the Division of State Police within the Department
26 of Public Safety or an organized local police department, a chief
27 inspector or inspector in the Division of Criminal Justice, a judicial
28 marshal, a conservation officer or special conservation officer, as
29 defined in section 26-5, an appointed constable who performs criminal
30 law enforcement duties, a special police officer appointed under
31 section 29-18, 29-18a or 29-19, an adult probation officer appointed
32 under section 54-104, an employee of the Department of Correction, a
33 member of the office of State Capitol Police and a member of a special
34 police force established under section 10a-55 or a person providing
35 security services for a public institution of higher education; and "in
36 the line of duty" means any action that a police officer is obligated or
37 authorized by law, rule, regulation or written condition of
38 employment service to perform, or for which the police officer is
39 compensated by the public entity such officer serves;

40 (iii) A mental or emotional impairment [which] that results from a
41 personnel action, including, but not limited to, a transfer, promotion,
42 demotion or termination; or

43 (iv) Notwithstanding the provisions of clause (i) of this
44 subparagraph, "personal injury" or "injury" includes injuries to
45 employees of local or regional boards of education resulting from
46 participation in a school-sponsored activity but does not include any
47 injury incurred while going to or from such activity. As used in this
48 clause, "school-sponsored activity" means any activity sponsored,
49 recognized or authorized by a board of education and includes
50 activities conducted on or off school property and "participation"
51 means acting as a chaperone, advisor, supervisor or instructor at the
52 request of an administrator with supervisory authority over the

53 employee.

54 Sec. 2. (NEW) (*Effective October 1, 2002*) Notwithstanding any
55 provision of chapter 568 of the general statutes, workers' compensation
56 benefits for any police officer, as defined in subparagraph (B)(ii) of
57 subdivision (16) of section 31-275 of the general statutes, as amended
58 by this act, who suffers a mental or emotional impairment arising from
59 such police officer's use of deadly force or subjection to deadly force in
60 the line of duty shall be limited to treatment by a psychologist or a
61 psychiatrist who is on the approved list of practicing physicians
62 established by the chairperson of the Workers' Compensation
63 Commission pursuant to section 31-280 of the general statutes.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>
Sec. 2	<i>October 1, 2002</i>

LAB *Joint Favorable Subst.*